

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA
EASTERN DIVISION

CLIFFORD ALSTON,)	
)	
Plaintiff,)	
)	
v.)	Civil Action No.:
)	3:06 CV 722 WKW-DRB
CHRISTOPHER ASKEW, et al.,)	
)	
Defendants.)	

MOTION TO COMPEL DISCOVERY

Comes now the Plaintiff by and through counsel of record, and requests this Honorable Court to enter an Order compelling the Defendant, Christopher Askew to respond to Plaintiff's Interrogatories and Request for Production previously filed in this case and shows unto the Court the following:

1. Plaintiff filed Interrogatories and Request for Production to the Defendant, Christopher Askew.
2. Defendant, Christopher Askew filed General Objections to Plaintiff's Interrogatories and Request for Production.
3. Pursuant to the *Federal Rules of Civil Procedure*, Plaintiff's counsel wrote to Defendant's counsel on two occasions asking him to reconsider his general objections and conducted two telephone conferences with Defendant's counsel to try and resolve the issue without requesting the court assistance. (See Exhibit A)
4. However, to date, the Defendant, Christopher Askew has failed to properly respond to the Plaintiff's Interrogatories and Request for Production.

WHEREFORE, Plaintiff requests this Honorable Court to enter an Order compelling the Defendant, Christopher Askew to answer said discovery within twenty (20) days.

s/Christopher D. Glover
Christopher D. Glover
Attorney for Plaintiff

OF COUNSEL:

HOGAN AND GLOVER, P.C.
2017 Morris Avenue, Suite 300
Birmingham, AL 35203
205-327-5235
Fax: 205-327-5237

CERTIFICATE OF SERVICE

I hereby certify that on this the 21st day of May, 2007, I have electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following:

Keri Donald Simms
Miller, Hamilton, Snider & Odom
505 North 20th Street, Suite 500
Birmingham, AL 35203

s/Christopher D. Glover
OF COUNSEL

HOGAN AND GLOVER, P.C.

THE DOUGLASS BUILDING
2017 MORRIS AVENUE, SUITE 300
BIRMINGHAM, ALABAMA 35203-3758

R. BEN HOGAN, III
D. BRETT TURNBULL
CHRISTOPHER D. GLOVER *
Also member of Florida Bar

(205)327-5235
FAX (205)327-5237
WATTS (866) 327-5235

WEBSITE: WWW.HOGANANDGLOVER.COM
BEN@HOGANANDGLOVER.COM
BRETT@HOGANANDGLOVER.COM
CHRIS@HOGANANDGLOVER.COM

February 27, 2007

Phillip Luke, Esq.
Miller, Hamilton, Snider & Odom
505 North 20th Street, Suite 500
Birmingham, AL 35203

RE: Alston vs. Askew

Dear Phillip:

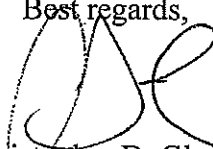
I am in receipt of Defendant, Air Ride Trucking's General Objections to Plaintiff's Interrogatories and Request for Production and Defendant, Christopher Askew's General Objections to Plaintiff's Interrogatories and Request for Production in the above styled cause.

I would appreciate your reconsidering your general objections and answer and produce any such items covered by the Request; in the alternative, we request a privilege log identifying and stating the basis for objections to permitting discovery of the requested information and documents.

Please let me have a response to this request within fifteen (15) days. Otherwise, we will have no choice but to file a motion to compel with the court.

Thanks for your cooperation and I look forward to hearing from you.

Best regards,



Christopher D. Glover

CDG/tw

HOGAN AND GLOVER, P.C.

THE DOUGLASS BUILDING
2017 MORRIS AVENUE, SUITE 300
BIRMINGHAM, ALABAMA 35203-3758

R. BEN HOGAN, III
D. BRETT TURNBULL
CHRISTOPHER D. GLOVER *
Also member of Florida Bar

(205)327-5235
FAX (205)327-5237
WATTS (866) 327-5235

WEBSITE: WWW.HOGANANDGLOVER.COM
BEN@HOGANANDGLOVER.COM
BRETT@HOGANANDGLOVER.COM
CHRIS@HOGANANDGLOVER.COM

May 2, 2007

Phillip Luke
Doug Bryant
Miller, Hamilton, Snider & Odom
505 North 20th Street, Suite 500
Birmingham, AL 35203

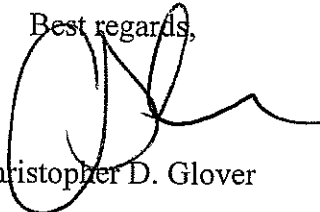
RE: Alston vs. Askew

Dear Counsel:

On February 27, 2007, we sent a letter to you requesting that you reconsider your general objections to Plaintiff's Interrogatories and Request for Production of Defendants, Christopher Askew and Air Ride Trucking. Since that day, Brett Turnbull in my office has conducted two telephone conferences with your office to try and resolve the issue of your clients' outstanding discovery responses.

This letter is another attempt to try and work out our differences regarding your clients' outstanding discovery. Please let me have your responses within the next ten (10) days or I will have no choice but to address this matter with the court.

Best regards,


Christopher D. Glover

CDG/tw